

DOD: 10/28/2004	LEON Y. GEORGE (Deceased), father, and ARMEN L. GEORGE , brother, were appointed as Co-Administrators with Full IAEA without bond and Letters issued on 1-25-05.	NEEDS/PROBLEMS/COMMENTS:
Cont. from	Court removes Armen L. George as Administrator and appoints Hrant George as Special Administrator per minute order of 11/30/2015.	1. Need First Account or Petition for Final Distribution or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Aff.Sub.Wit.		
Verified		2. Need Order of Special Administration appointing Hrant George.
Inventory		
PTC		3. Need Letters of Special Administration appointing Hrant George.
Not.Cred.		
Notice of Hrg	Inventory and Appraisal Partial No. 1 was filed on 01/09/2015 indicating real property valued at \$160,000.00 and personal property valued at \$1,500.00.	
Aff.Mail		
Aff.Pub.	Final Inventory and Appraisal Partial No. 2 was filed 04/20/2015 indicating personal property valued at \$139,728.83.	
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters	Minute Order of 01/04/2016 set this Order to Show Cause.	
Duties/Supp	Minute Order states: No Appearances. The Court issues an Order to Show Cause to Jeffrey Simonian as to why he should not be sanctioned for his failure to appear today and to Hrant George as to why he should not be removed as Special Administrator for his failure to appear and failure to file the first account. Mr. Simonian and Hrant George are both ordered to be personally present in court or by Court Call on 02/22/2016.	
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice	Clerk's Certificate of Mailing indicates that a copy of the minute order was mailed to Attorney Jeffrey Simonian and Hrant George on 01/04/2016.	

Reviewed by: LV**Reviewed on:** 02/18/2016**Updates:****Recommendation:****File 1- George**

2 Kenneth Wayne Timmerman (CONS/P) Case No. 07CEPR00683
Conservator Greatrake, Robin
Probate Status Hearing RE: Receipt of Transfer

		<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR.</u> <u>Receipt of Transfer filed</u> <u>01/11/2016 from County of</u> <u>San Joaquin case no. STK-PR-</u> <u>CP-2016-6.</u></p>
Cont. from		
<input type="checkbox"/>	Aff.Sub.Wit.	
<input type="checkbox"/>	Verified	
<input type="checkbox"/>	Inventory	
<input type="checkbox"/>	PTC	
<input type="checkbox"/>	Not.Cred.	
<input type="checkbox"/>	Notice of Hrg	
<input type="checkbox"/>	Aff.Mail	
<input type="checkbox"/>	Aff.Pub.	
<input type="checkbox"/>	Sp.Ntc.	
<input type="checkbox"/>	Pers.Serv.	
<input type="checkbox"/>	Conf. Screen	
<input type="checkbox"/>	Letters	
<input type="checkbox"/>	Duties/Supp	
<input type="checkbox"/>	Objections	
<input type="checkbox"/>	Video Receipt	
<input type="checkbox"/>	CI Report	
<input type="checkbox"/>	9202	
<input type="checkbox"/>	Order	
<input type="checkbox"/>	Aff. Posting	
<input type="checkbox"/>	Status Rpt	
<input type="checkbox"/>	UCCJEA	
<input type="checkbox"/>	Citation	
<input type="checkbox"/>	FTB Notice	
		<p>Reviewed by: LV</p> <p>Reviewed on: 02/18/2016</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 2- Timmerman</p>

3 Gloria Ann Oh (Estate)**Case No. 12CEPR00973****Atty Romans, Stephanie N. (pro per – Administrator/Petitioner)**

**(1) Verified Supplement for First Account and Report of Personal Representative and
Petition for Final Distribution (treated as an amendment/supplement to the Request for Waiver of Account and
Report of Personal Representative and Petition for Final Distribution)**

DOD: 09/24/12		STEPHANIE N. ROMANS , Administrator, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 01/04/16</u>
		Account period: 09/14/12 – 12/12/14	
Cont. from 092514. 101414 , 041315, 050415, 091415, 010416		Accounting - \$310,000.00 Beginning POH- \$310,000.00 Ending POH - \$52,079.74 (all cash)	1. Petitioner requests statutory fees using the fee base as \$310,000.00, however, there was a loss on sale of \$27,000.00; therefore the statutory fee should be calculated on the fee base of \$283,000.00, resulting in a statutory fee of \$8,660.00. In turn, the amount to be distributed to each beneficiary changes to \$6,195.52. (Examiner has interlineated the Orders to reflect these amounts).
<input type="checkbox"/>	Aff.Sub.Wit.	Administrator- \$9,200.00 (statutory) (see note 1)	
<input checked="" type="checkbox"/>	Verified	Attorney - n/a	
<input checked="" type="checkbox"/>	Inventory	Costs - \$2,013.50 (filing fees, publication, probate referee)	
<input checked="" type="checkbox"/>	PTC	Administrator reimbursement - \$10,371.66 (funeral expenses)	
<input checked="" type="checkbox"/>	Not.Cred.	\$1,130.00 (termite treatment for estate property)	
<input checked="" type="checkbox"/>	Notice of Hrg	Richard W. Oh, Sr. - \$5,122.50 (for mortgage payments)	
<input checked="" type="checkbox"/>	Aff.Mail	Petitioner states that it was initially the intent of the beneficiaries that the real property assets of the estate were to remain in the family. The parties agreed that Nicholas Oh and Jacob Oh would file disclaimers that would allow Stephanie Romans to be the sole heir of the two properties, but Nicholas and Jacob would be occupants of the properties. However, there was a verbal agreement between Petitioner, Nicholas and Jacob that if the properties were sold, then each beneficiary would receive an equal share of the proceeds. Since the properties were sold, Petitioner proposes to distribute an equal share to Nicholas and Jacob despite the disclaimers they filed.	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters	04/30/13	
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input checked="" type="checkbox"/>	FTB Notice	Distribution, pursuant to intestate succession and disclaimers filed herein, is to: Nicholas Oh, Jr. (minor) - \$6,060.52 Scarlett Oh (minor) - \$6,060.52 Stephanie Romans - \$6,060.52 Richie Caleb Oh (minor) - \$6,060.52 (minor's shares to be placed in a blocked account until the minor reaches age 18) (see note 1)	

Reviewed by: JF**Reviewed on:** 02/17/16**Updates:****Recommendation:****File 3 - Oh**

Petitioner Heather, Salen (Pro Per – Mother)

Petition for Termination of Guardianship

Age: 9		HEATHER SALEN, mother, is petitioner. <u>Please see petition for details</u>	NEEDS/PROBLEMS/COMMENTS: Note: Guardian, Luz Amarillas, filed a Petition to Terminate Guardianship and Paternal Aunt, Yesenia Haro, filed a Petition for Guardianship on 11/03/2015. Both were heard on 01/13/2016 but were continued to 02/24/2016 to allow the petitioners to cure the issues on the examiner notes. 1. Need Notice of Hearing. 2. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Termination of Guardianship for: <ul style="list-style-type: none"> • Raymundo Amarillas (Father) • Luz Amarillas (Guardian) 	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			x
	Aff.Mail			x
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report	x		
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: LV	
			Reviewed on: 02/17/2016	
			Updates:	
			Recommendation:	
			File 4- Amarillas	

First and Final Account and Report of Administrator and Petition for its Settlement, for Allowance of Compensation to Administrator and Attorneys for Ordinary Services and Extraordinary Services and for Final Distribution

DOD: 11/24/11			NEEDS/PROBLEMS/COMMENTS:
Cont. from 110315, 120715			
	Aff.Sub.Wit.		
✓	Verified		
✓	Inventory		
✓	PTC		
✓	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	w/	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters	01/26/15	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
✓	9202		
	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		
<div> <div>OFF CALENDAR</div> <div>Amended Petition filed 02/05/16 and set for hearing on 03/16/16</div> </div>			
Reviewed by: JF			
Reviewed on: 02/17/16			
Updates:			
Recommendation:			
File 5- Kermoyan			

Attorney Eric R. Brown, of Carmichael (for Petitioner Lee X. Yang, Administrator)

First Account and Report of Status Administration

DOD: 1/16/2014		<p>LEE X. YANG, nephew, was appointed Administrator with Full IAEA Authority without bond on 7/7/2014. Letters issued on 7/23/2014.</p> <p>Account period: 7/23/2014 – 9/16/2015</p> <p>Accounting - \$319,500.00 Beginning POH - \$319,500.00 Ending POH - \$319,500.00 (real property on 489 Silva Ave., Marysville, Yuba County; no cash)</p> <p>Administrator states:</p> <ul style="list-style-type: none"> During the period of administration, all 8 of Decedent's children disclaimed, and written disclaimers were filed with the Court; With all children having disclaimed, the Decedent's surviving spouse, CHA YANG LEE, was the only heir at law claiming an interest in the Decedent's estate; However, Decedent's spouse CHA YANG LEE died on 5/11/2015; Prior to her death, she established the CHA YANG LEE LIVING TRUST dated 4/23/2015 (copy of Trust attached as Exhibit A); the Trustee is the son of Decedent, CHOU DOUA LEE; The CHA YANG LEE LIVING TRUST became irrevocable upon the death of CHA YANG LEE; The CHA YANG LEE LIVING TRUST has not completed administration, nor has any probate proceeding been filed in any Court regarding CHA YANG LEE'S estate; The CHA YANG LEE LIVING TRUST provides a special gift of the Trustor's [CHA YANG LEE'S] interest in the Yuba County real property asset of the estate of NHIA YER LEE to a third party, SAO V. YANG, Settlor's cousin, and PHANG YANG, her husband, or to the survivor of them; <p align="center">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Note: <i>Petition to Determine Ownership</i> filed in this matter on 2/2/2016 is set for hearing on 3/15/2016.</p> <p>Continued from 11/2/2015. Minute Order states counsel requests a continuance. A status report verified by the Administrator is to be filed at least two court days prior to 2/22/2016. (Please refer to Second Additional Page for Report of Status of Administration verified by Administrator and filed 2/8/2016.)</p> <p align="center">~Please see additional page~</p>	
Cont. from 042315, 110215				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
<input checked="" type="checkbox"/>	PTC			
<input checked="" type="checkbox"/>	Not.Cred.			
<input checked="" type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail			W/
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
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<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			072314
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<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
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<input type="checkbox"/>	Order			X
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<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input checked="" type="checkbox"/>	FTB Notice			
		~Please see additional page~	<p>Reviewed by: LEG</p> <p>Reviewed on: 2/17/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 6 - Lee</p>	

Administrator states, continued:

- As Trustee of the Trust, **CHOU DOUA LEE** will petition this Court for an order compelling the Administrator of the *Estate of NHIA YER LEE* to convey the real property asset of the instant probate estate to the special gift beneficiary under the Trust, at such time as when the probate estate is ready to be closed;
- Petitioner believes that a petition under the authority of Probate Code § 850 will be submitted by the Trustee within a reasonable time following the status hearing in this probate matter;
- The estate will not be in a position to be closed until the resolution of the § 850 petition, as yet unfilled, seeking to compel the Administrator to transfer the estate real property asset to the Trust special gift beneficiary;
- Since **CHA YANG LEE** received Medi-Cal benefits at the end of her life, the § 850 petition will be required to provide notice of any hearing to the Director of Health Care Services;
- The Administrator estimates the filing of the § 850 petition within 30 days of the 9/30/2015 Status Hearing, and to have a hearing set on the Court's calendar;
- Following the hearing on the § 850 petition and an order thereon, the Administrator will file a petition for final distribution within 15 days thereafter.

NEEDS/PROBLEMS/COMMENTS, continued:

Note: The probate proceeding of the instant estate initiated on **5/5/2014**, and is represented to contain a sole asset: **100%** fee simple interest in real property in Yuba County located at 489 Silva Ave., Marysville, with title held by Decedent as his sole and separate property. *Petition* states that based upon all 8 children of Decedent having disclaimed their **1/12th** interest in the sole estate asset (the real property in Yuba County), the Decedent's surviving spouse, **CHA YANG LEE**, who died on **5/11/2015**, was the only heir at law claiming an interest in the Decedent's estate. Probate Code § 282(a) provides that the interest disclaimed shall descend, go, be distributed, or continue to be held as if the disclaimant had predeceased the creator of the interest. The effect of the disclaimers, coupled with the subsequent death of Decedent's spouse, is that pursuant to Probate Code §§ 6401 and 6402, the intestate heirs of Decedent's separate property are: (a) the *Estate of CHA YANG LEE* at **1/3** interest; and (b) all of the issue of the Decedent's 8 children at a total of **2/3** interest.

The following issues from the last hearing remain:

1. The Yuba County real property asset of the instant *Estate of NHIA YER LEE* is distributable to the *Estate of CHA YANG LEE* at **1/3** interest, and to all of the issue of the Decedent's 8 children at **2/3** interest, pursuant to the 8 disclaimers by Decedent's children filed on 3/9/2015. [Note: Assignments executed by the 8 children would have resulted in the entire real property interest passing to the *Estate of CHA YANG LEE*, as it appears was the intent.] Court records do not show a personal representative has been appointed for the *Estate of CHA YANG LEE* to receive distribution of **CHA YANG LEE'S 1/3** interest in the Yuba County real property.
2. Decedent's grandchildren who succeed to an undivided **2/3** interest in the estate real property are all minors. Local Rule 7.12.4(B) provides that where real property is to be distributed in undivided interests to minors, Petitioner must submit a detailed declaration documenting the need for such distribution and why it would be in the minors' best interests.

~Please see additional page~

Dept. 303, 9:00 a.m. Monday, February 22, 2016

NEEDS/PROBLEMS/COMMENTS, continued:

3. Petition states the **CHA YANG LEE LIVING TRUST** was created by Decedent's spouse on **4/23/2015**. (The hearing date for the *First and Final Report of Administrator on Waiver of Account* filed 3/9/2015 for the instant estate was also **4/23/2015**, which was continued by attorney request and no appearance was required on that date.) The Trust lists on its *Schedule of Trust Assets* the same subject real property in Yuba County that is the sole asset of Decedent **NHIA YER LEE'S** estate. It appears the Probate Code § 850 petition that Petitioner states is contemplated by the Trustee of the **CHA YANG LEE LIVING TRUST dated 4/23/2015**, that will seek to convey the real property asset of the instant probate estate to the special gift beneficiary under the Trust, would be an improper petition based upon the fact that the Settlor **CHA YANG LEE** did not own the Yuba County real property or any interest in it on **4/23/2015** when it was purportedly transferred to her trust.

[Verified] Report of Status of Administration verified by Administrator and filed 2/8/2016 states:

- At the previous hearing on 11/2/2015, the Administrator advised the Court that the estate is not yet in a condition to be closed;
- Following the hearing on the *Petition by Administrator to Determine Ownership of Third Party and for Order Authorizing and Directing Conveyance of Real Property from Estate to Third Party* set for 3/15/2016, the estate will be in a condition to be closed;
- At the time of death, Decedent was a resident of Fresno County; he was survived by a spouse **CHA YANG LEE**, and his 8 natural children: **CHOU DOUA LEE, MAYBO LEE, EAGLE LEE, ANNIE LEE, MAI PADO LEE, KHOU LEE, PANA LEE, and LISA LEE**;
- The estate consists of the separate property of Decedent, a single asset parcel of real property on Silva Avenue in Yuba County California [*Decedent resided in and died in Fresno, hence the probate proceeding commenced in Fresno*];
- Decedent's heirs at law are his 8 children; each of his children disclaimed, and the children of each disclaimant, all of whom are the grandchildren of Decedent [*are listed in the chart on the Third Additional Page*];
- Decedent's spouse **CHA YANG LEE**, died 5/11/2015; prior to her death she established the **CHA YANG LEE LIVING TRUST dated 4/23/2015**; the successor and currently acting Trust is **CHOU DOUA LEE**, the son of Decedent and **CHA YANG LEE**;
- If the *Petition by Administrator to Determine Ownership of Third Party and for Order Authorizing and Directing Conveyance of Real Property from Estate to Third Party* set for 3/15/2016 is granted, the Administrator will convey the property [*subject to this proceeding*] to the third party named in the Petition;
- The property is the sole asset of the probate estate, and distribution of the property following the Court's ruling on the Petition will be the final step of administration;
- The estate will not be in a position to be closed until the resolution of the Petition; following the Court's ruling on the Petition, the Administrator will be in a position to distribute and convey the real property, and the estate will be ready to be closed within less than **30 days** thereafter.

Petitioner prays for an Order of the Court that the *Report of Status of Administration* be allowed and approved as filed.

~Please see additional page~

PROPOSED DISTRIBUTION CHART: Decedent's 8 children disclaimed their interests in the estate property; Decedent's post-deceased spouse and minor grandchildren now succeed to the estate property. For the purposes of determining proper distribution of the instant estate, the names, ages *[omitted]*, and relationships to Decedent **NHIA YER LEE** of all of his intestate heirs are as follows:

1. One-third interest to Post-deceased spouse of Decedent: **CHA YANG LEE**
2. Two-thirds interest to minor grandchildren of Decedent:

Child of Decedent	Grandchild of Decedent	Grandchild of Decedent	Grandchild of Decedent
CHOU DOUA LEE (disclaimed)	ADEN LEE	CALVIN LEE	MADELYNN LEE
ANNIE LEE (disclaimed)	KIMBERLINA XIONG		
MAI PADO LEE (disclaimed)	EVELYN XIONG	HUNTER XIONG	TYTUS XIONG
KHOU LEE (disclaimed)	ALVIN VUE	KATARA VUE	ELLESAH VUE
PANA LEE (disclaimed)	DILYLAH THAO	PAIGE THAO	CARTER THAO
MAYBO LEE (disclaimed)			
EAGLE LEE (disclaimed)			
LISA LEE (disclaimed)			

Age: 14	MARIA GUADALUPE VALENCIA , Mother, was appointed Guardian of the Estate with \$12,000.00 to be placed into a blocked account on 01/12/2015.	NEEDS/PROBLEMS/COMMENTS: 1. Need First Account or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from	Letters issued on 01/13/2015.	
Aff.Sub.Wit.		
Verified	Receipt for Blocked Account filed 07/01/2015 shows \$12,633.55 was deposited into United Security Bank.	
Inventory		
PTC		
Not.Cred.	Minute Order of 01/12/2015 set this Status Hearing for the filing of the First Account.	
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 02/17/2016
		Updates:
		Recommendation:
		File 7- Patino

Probate Status Hearing RE: Filing of the Inventory and Appraisal

DOD: 03/26/2014	RAMON GUIBA , spouse, petitioned the Court to be appointed as Administrator. An Objection was filed by Angela Burke, daughter.	NEEDS/PROBLEMS/COMMENTS:
		Note: Petition for Order Directing Transfer of Property to the Estate filed by Mr. Fanucchi on 02/02/2016. Hearing is set for 03/15/2016.
Cont. from 083115	PUBLIC ADMINISTRATOR , was appointed pursuant to the minute order of 04/06/2015. Minute Order states: The Court has serious concerns about the abilities of Ramon Guiba to properly execute the demands of a Personal Representative and appoints the Public Administrator forthwith. The Court orders Ramon Guiba and Angela Burke to cooperate with the Public Administrator and turn over any and all estate documents.	Minute Order of 08/31/2015: Mr. Fanucchi advises the Court that he believes they have a claim against the husband and the insurance company. Mr. Fannuchi will be filing an 850 Petition on behalf of his client. The Court directs that this probate matter remain open.
Aff.Sub.Wit.		
Verified		1. Need Inventory and Appraisal or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
	<p>Report of Administration and Request to Close Estate and Discharge of the Public Administration filed 08/28/2015 (for 08/31/2015 hearing) states the decedent's surviving spouse, Ramon Guiba, filed a petition for probate on 11/12/2014. The decedent's daughter, Angela Burke filed an objection on 01/22/2015. The Court denied Mr. Guiba's petition and appointed the Public Administrator on 04/06/2015.</p> <p>The first basis for Ms. Burke's objection is that Mr. Guiba was not capable of acting as personal representative. The Court agreed, and did not appoint him. The second was there are no assets in the estate, and so probate administration is not necessary. The Public Administrator agrees with the objector.</p> <p style="text-align: center;"><u>Please see additional page</u></p>	<p>Reviewed by: LV</p> <p>Reviewed on: 02/17/2016</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 8 - Guiba</p>

Continued from previous page: On 02/09/2015, attorney Edward L. Fanucchi filed a status report, indicating some assets that may belong to the estate. Specifically, he refers a timeshare in Hawaii. Mr. Fanucchi stated that letter was sent to the company inquiring the value of any property in December 2014. Mr. Guiba filed a supplement to his petition on 02/26/2015 again stating that no information was provided supporting argument that the decedent owned timeshare in Hawaii. It has been eight months since the letter was sent and six months since Mr. Guiba's last report, and neither he nor Mr. Fanucchi has provided any additional information regarding a possible timeshare.

Paragraph 6 of Mr. Fanucchi's status report alleges that the decedent's daughter removed items from the house. He has provided no evidence of that. However, even if he could provide proof that particular items were taken, they surely would not be valuable enough (based upon what he listed) to require opening of a probate.

In his declaration of 02/26/2015, Mr. Guiba alleged that the decedent owned an interest in D. Danz & Sons, Inc. Ms. Burke filed a response on 03/06/2015 asserting that her mother, the decedent, relinquished her interest in the property after the decedent was divorced from Ms. Burke's father. The fact that the decedent continued to work for the business is not sufficient evidence that she still owned an interest. In addition, the decedent's mother, Patricia Rader filed a declaration stating that she found and later shredded the relinquishment, assuming it was no longer needed. Ms. Rader does not benefit from the decedent's estate by making the assertions that she did in her declaration. Thus, there is no reason for the Public Administrator to believe that Ms. Rader's declaration stating there was a relinquishment is not truthful.

Having researched this case and determining there are no assets to probate, the Public Administrator requests that this matter be closed and she be discharged as Administrator.

DOD: 06/16/2006	RUDY CEJA , son was appointed Administrator with full IAEA with bond set at \$10,000.00 on 10/23/2015.	NEEDS/PROBLEMS/COMMENTS:
		1. Need Inventory and Appraisal or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from	Receipt of Bond in the amount of \$10,000.00 was filed on 12/11/2015.	
Aff.Sub.Wit.		
Verified	Letters issued on 12/14/2015.	
Inventory		
PTC	Minute Order of 10/23/2015 set this status hearing for the filing of the Inventory and Appraisal.	
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 02/17/2016
		Updates:
		Recommendation:
		File 9- Ceja

Petitioner Anthony McCurn, Sr. (Pro Per)

Petition for Appointment of Probate Conservator of the [Estate]

		ANTHONY McCURN, SR. , spouse and Conservator of the Person appointed on 4/16/2015, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>Continued from 1/4/2016.</u> Minute Order states examiner notes provided in open court. The Court indicates that bond will be required and directs Mr. McCurn to begin making inquiries with insurance companies. Note: Proof of Bond filed 2/9/2016 shows bond has been posted in the sum of \$9,600.00 (sufficient). ~Please see additional page~
		~Please see Petition for details~	
Cont. from 010416		Court Investigator's Report was filed 12/18/2015.	
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail		W/
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
✓	Video Receipt		Filed 4/8/15
✓	CI Report		
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✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
✓	Citation		
	FTB Notice		
			Reviewed by: LEG Reviewed on: 2/17/16 Updates: Recommendation: File 10- McCurn

Notes:

- Attachment 3(i) has been added to proposed letters containing the same language contained in Attachment 29 of the proposed order, granting the very specific authority to apply for and obtain loan modifications on the family residence in an attempt to reduce the risk of foreclosure.
- Petitioner requests the Court waive an inventory and appraisal. Probate Code § 2610(a) provides that within 90 days after appointment, the conservator shall file an inventory and appraisal of the estate made as of the date of the appointment of the conservator. If appointed as conservator of the estate, Petitioner is required to file with the Court an inventory and appraisal within 90 days after appointment.
- If *Petition* is granted, Court will set status hearings as follows:
 - **Thursday, June 23, 2016 at 9:00 a.m. in Dept. 303** for filing of inventory and appraisal; and
 - **Thursday, April 27, 2017 at 9:00 a.m. in Dept. 303** for filing of first account of the conservatorship, if Court requires conservatorship estate accountings.

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.

Petitioner

Padilla, Henry Michael, Jr. (Pro Per – Son – Petitioner)

Petition for Letters of Administration; Authorization to Administer Under IAEA
(Prob. C. 8002, 10450)

DOD: 12/7/14		HENRY MICHAEL PADILLA, JR., Son, is Petitioner and requests appointment as Administrator with Full IAEA without bond. All heirs waive bond. Full IAEA – ok Decedent died intestate Residence: Fresno Publication: Business Journal Estimated value of estate: Personal property: \$1,000.00 Real property: \$155,000.00 Total: \$156,000.00 Probate Referee: Rick Smith	NEEDS/PROBLEMS/COMMENTS: <u>Continued from 5/4/15, 7/20/15, 8/31/15, 9/28/15, 1/4/16</u> <u>As of 2/17/16, nothing further has been filed. The following issues remain:</u> <p style="text-align: center;"><u>SEE PAGE 2</u></p> <u>Note: If granted, the Court will set status hearings as follows:</u> <ul style="list-style-type: none"> Monday, July 11, 2016 for filing the Inventory and Appraisal Monday, April 10, 2017 for filing the first account or petition for final distribution. <p>If the proper items are filed prior to the status hearing dates pursuant to Local Rule 7.5, the status hearings may come off calendar.</p>	
Cont. from 050415, 072015, 083115, 092815, 010416				
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<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
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<input type="checkbox"/>	Notice of Hrg			x
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<input checked="" type="checkbox"/>	Letters			
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<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
Reviewed by: skc				
Reviewed on: 2/17/16				
Updates:				
Recommendation:				
File 11 - Padilla				

Page 2 - NEEDS/PROBLEMS/COMMENTS:

Examiner Notes previously noted the following issue:

1. Declaration of Michelle Nino filed 8/17/15 states she is one of two children of the decedent and waives NOTICE and also waives ANY INTEREST in the estate.

Ms. Nino's declaration appears to be an irrevocable disclaimer of interest as discussed in Probate Code §§ 265, 275 et seq.

Pursuant to Probate Code §282, a disclaimer, when effective, is irrevocable and binding, and the disclaimed interest shall descend to the issue of the disclaimant as if the disclaimant had predeceased the decedent.

Therefore, need clarification: Does Ms. Nino have issue that will now be heir(s) to her share of the estate? If so, need their information pursuant to #8 of the petition, and need waivers of bond from them. Note that bond cannot be waived if there are minor heirs.

On 9/22/15, Petitioner filed a Declaration noting that Probate Code §282(b)(1) contains an exception to the above-referenced situation, and states that if the beneficiary is not treated as having predeceased the decedent, there is no problem or issue as suggested and the case can go forward with his appointment as administrator and the probate case can proceed to its proper completion.

Examiner notes as follows:

§282(b)(1) states:

(b) Notwithstanding subdivision (a), where the disclaimer is filed on or after January 1, 1985:

(1) The beneficiary is not treated as having predeceased the decedent for the purpose of determining the generation at which the division of the estate is to be made under Part 6 (commencing with Section 240) or other provision of a will, trust, or other instrument.

§240 states:

240. If a statute calls for property to be distributed or taken in the manner provided in this section, the property shall be divided into as many equal shares as there are living members of the nearest generation of issue then living and deceased members of that generation who leave issue then living, each living member of the nearest generation of issue then living receiving one share and the share of each deceased member of that generation who leaves issue then living being divided in the same manner among his or her then living issue.

This exception has to do with level of division of shares, and not with who is entitled to take pursuant to disclaimers.

As explained in the annotated code commentary: This provision is designed to prevent an heir from disclaiming for the purpose of increasing the share of his or her line at the expense of the other line of descendants. For example: If the decedent had two children, one deceased with one child, and the other living with three children, the level of division remains at the child level (one-half shares). If the living child disclaims, the division remains in one-half shares, and does not revert to one-quarter shares because of the disclaimer at the expense of the child of the deceased heir. The deceased child's heir would still be entitled to his parent's one-half share, and the disclaimant's three children would then split their parent's one-half share.

Therefore, the section Petitioner cites does not apply to Petitioner's situation, and the issue above remains noted. If Ms. Nino's declaration is deemed a disclaimer by the Court, then need information regarding her issue for #8 of the petition and waivers of bond from all new heirs, or bond of \$156,000.00.

Motion to be Relieved as Counsel

		CANDACE K. LADLEY, of Poulsbo, WA, and MARLA MARTINEZ, of Burbank, CA, Attorneys for Jeremy Leland Hernandez, are Movants and request an order permitting them to be relieved as attorneys of record for JEREMY LELAND HERNANDEZ.	NEEDS/PROBLEMS/COMMENTS: Note: Trial on the Amended Petition filed by Co-Petitioners RACHELLE RAE ROBLES RICO and JEREMY LELAND HERNANDEZ, represented by Candace K. Ladley, is set for 2/23/16. Minute Order 1/11/16: Counsel request time to address the defects in the notes, and also request a continuance of the 2/23/16 trial date, despite lack of notice as to the continuance request. The Court will consider a continuance of the trial date as requested at the 2/22/16 hearing. The Court orders Jeremy Hernandez and James Mele to be personally present in Court or by CourtCall on 2/22/16. (Minute Order mailed to Mr. Hernandez and Mr. Mele on 1/7/16.) Update: A new Declaration in Support of Attorney's Motion to be Relieved as Counsel was filed 1/28/16 by Attorneys Ladley and Martinez, along with trial brief, exhibit list, and witness list for the trial set for 2/23/16. The new declaration addressed all noted issues; notes cleared.	
Cont. from 011116				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
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<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		Declaration of Candace K. Ladley attached to the Motion states: <ol style="list-style-type: none"> 1. She is the attorney of record for Petitioner Jeremy Leland Hernandez in this matter. 2. Factors have arisen that permit her to seek the Court's authorization to be relieved as counsel for Petitioner in accordance with the provisions of the Rules of Professional Conduct, Rule 3-700, subdivision (C). 3. On 9/28/15, she texted the Petitioner and advised him that she intended to withdraw from his case as attorney as he had not taken certain actions that she requested of him. 4. Pursuant to paragraph 223 of the Law and Motion Policy Memorandum, a copy of this notice is being sent to Petitioner at his address confirmed by telephone conversation on 9/15/15. 		
		Proof of Service filed 12/7/15 indicates that the Notice of Motion and Motion to be Relieved as Counsel was served on all interested parties by mail on 12/1/15.		
		Declaration in Support of Attorney's Motion to be Relieved as Counsel filed 1/28/16 signed by Attorneys Candace Ladley and Marla Martinez states they are having difficulty communicating with Petitioner Jeremy Hernandez only. He does not respond to their communications. They will continue to represent Petitioner Rachelle Rico.		
		Reviewed by: skc		
		Reviewed on: 2/17/16		
		Updates:		
		Recommendation:		
		File 12- Jones		

Attorney Susan K. Arthur (for Petitioner Kevin L. Barnes)

**First Amendment to First and Final Account and Report of Executor and
Petition for Its Settlement, for Allowance of Compensation for Ordinary and
Extraordinary Services, and for Final Distribution**

DOD: 11/7/2014		KEVIN L. BARNES , son and Executor, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Account period: 11/7/2014 – 10/30/2014	
		Accounting - \$117,988.67	
		Beginning POH - \$110,250.00	
Cont. from 010416		Ending POH - \$17,128.95 (all cash)	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Executor - \$4,532.16 (statutory)	
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC	Executor XO - \$1,000.00 (Per Declaration attached as Exhibit I; for sale of real property, per Local Rule 7.18(B)(1); not requesting compensation for 182.2 hours of time expended for benefit of estate;)	
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	W /	
	Aff.Mail		
	Aff.Pub.	Attorney - \$4,532.16 (statutory)	
	Sp.Ntc.		
	Pers.Serv.	Attorney XO - \$1,000.00 (Local Rule 7.18(A) for sale of real property; itemized in Declaration filed 1/19/2016 for 3.90 hours at \$315.00/hour attorney rate and \$110.00/hour paralegal rate; reduced from \$1,071.00 total fees;)	
	Conf. Screen		
	Letters 061815		
	Duties/Supp		
	Objections		
	Video Receipt	Executor Costs - \$1,131.25 (filing fee, probate referee, publication, certified copies)	
	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order	Distribution pursuant to Decedent's Will is to:	
	Aff. Posting	KEVIN L. BARNES – \$2,466.[69] cash;	
	Status Rpt		
	UCCJEA	WESLEY ABBEY – \$2,466.[69] cash.	
	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 2/17/16
			Updates:
			Recommendation:
			File 13- Barnes

14 Mason Lewis (GUARD/P)**Case No. 15CEPR00484**

Guardian: Stephanie Rogers Harlow (pro per)

Petitioner: Brittany Lewis (pro per)

Petition for Termination of Guardianship

		BRITTANY LEWIS , mother is petitioner.	NEEDS/PROBLEMS/COMMENTS:	
Cont. from				
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<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: KT	
			Reviewed on: 2/17/16	
			Updates:	
			Recommendation:	
			File 14- Lewis	

DOD: 8/1/15 <div style="border: 1px solid black; height: 20px; margin-bottom: 2px;"></div> <div style="border: 1px solid black; height: 20px; margin-bottom: 2px;"></div> <div style="border: 1px solid black; height: 20px; margin-bottom: 2px;"></div> <div style="border: 1px solid black; height: 20px; margin-bottom: 2px;"></div> Cont'd from: 110215, 010416 <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 5%;"></td> <td style="width: 15%;">Aff.Sub.Wit.</td> <td style="width: 5%;"></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Verified</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Inventory</td> <td></td> </tr> <tr> <td></td> <td>PTC</td> <td></td> </tr> <tr> <td></td> <td>Not.Cred.</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Notice of Hrg</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Aff.Mail</td> <td style="text-align: center;">w/o</td> </tr> <tr> <td></td> <td>Aff.Pub.</td> <td></td> </tr> <tr> <td></td> <td>Sp.Ntc.</td> <td></td> </tr> <tr> <td></td> <td>Pers.Serv.</td> <td></td> </tr> <tr> <td></td> <td>Conf. Screen</td> <td></td> </tr> <tr> <td></td> <td>Letters</td> <td></td> </tr> <tr> <td></td> <td>Duties/Supp</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Objections</td> <td></td> </tr> <tr> <td></td> <td>Video Receipt</td> <td></td> </tr> <tr> <td></td> <td>CI Report</td> <td></td> </tr> <tr> <td></td> <td>9202</td> <td></td> </tr> <tr> <td style="text-align: center;">✓</td> <td>Order</td> <td></td> </tr> <tr> <td></td> <td>Aff. Posting</td> <td></td> </tr> <tr> <td></td> <td>Status Rpt</td> <td></td> </tr> <tr> <td></td> <td>UCCJEA</td> <td></td> </tr> <tr> <td></td> <td>Citation</td> <td></td> </tr> <tr> <td></td> <td>FTB Notice</td> <td></td> </tr> </table>		Aff.Sub.Wit.		✓	Verified		✓	Inventory			PTC			Not.Cred.		✓	Notice of Hrg		✓	Aff.Mail	w/o		Aff.Pub.			Sp.Ntc.			Pers.Serv.			Conf. Screen			Letters			Duties/Supp		✓	Objections			Video Receipt			CI Report			9202		✓	Order			Aff. Posting			Status Rpt			UCCJEA			Citation			FTB Notice		<p>JACKIE EILEEN LEE, Daughter, is Petitioner.</p> <p>40 Days since DOD</p> <p>No other proceedings</p> <p>I&A: \$95,160.00 (\$60.00 cash plus a 100% interest in real property located at 3949 E. Lowe in Fresno and two vehicles)</p> <p>Will dated 12/8/09 (witnessed 1/19/10) is a California Statutory Will that devises the residence as a specific gift to Petitioner Jackie Eileen Lee, \$20.00 each to Michael Lee, Todd Lee, Willie Lee, Jr., Billy Lee, and Edward Lee, and the balance to Jackie Eileen Lee.</p> <p>Petitioner requests Court determination that the real property passes to her pursuant to the Decedent's will.</p> <p>Petitioner filed a Declaration on 11/2/15 in response to Examiner Notes. Petitioner states if the Court requires a filing fee, Petitioner requests she be allowed to make payments. Petitioner states the Examiner Notes are incorrect and that §13151 allows a successor to petition re the real property only without succession to personal property, and Petitioner purposely did not include any request for succession to the personal property. Those entitled to personal property can use an affidavit under §13100 to collect the personal property. No court order under this section is required. Petitioner states she has submitted a declaration regarding efforts to try to locate addresses for the missing heirs. (See Declaration filed 10/15/15.)</p> <p>Objection to Petition to Determine Succession to Real Property Due to Lack of Proper Execution of Will and Failure to List All Assets on Inventory was filed 12/29/15 by Curtis Lee, Edward Lee, Matthew Lee, Michael Lee, and Donald Eugene Lee, children of Willie Lee and intestate heirs. <u>SEE ADDITIONAL PAGES.</u></p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Minute Order 11/2/15:</u> Examiner notes provided in open court. Todd Lee states he is present to contest the will and is directed to file a will contest if he wishes instead of raising the issue in open court.</p> <p><u>Note:</u> Objection was filed 12/29/15.</p> <p><u>Minute Order 1/4/16:</u> Petitioner requests an additional 30 days; the Court admonishes Ms. Lee to cure the notice defects or it will be inclined to deny the petition at the next hearing.</p> <p style="text-align: center;"><u>SEE ADDITIONAL PAGES</u></p> <p>Reviewed by: skc</p> <p>Reviewed on: 2/17/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 15 – Lee</p>
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Page 2

Objection states the document purported to be the Last Will and Testament of Decedent was not executed in the manner and form required by law. Specifically, the attestation clause contains a different date than the date of execution of the Will. Objector Curtis Lee questioned one of the subscribing witnesses, Denise Sheets, about the reason for the different dates and was told that Ms. Sheets never saw the decedent sign the will. Instead, she said that Jackie Lee presented her with a copy of the executed will and asked her to sign it as a witness. Ms. Sheets told Curtis Lee that Jackie was hounding her to sign the document, and she said she finally signed it so she would stop. See attached statement from subscribing witness Denise Sheets.

Objectors state the decedent had a good relationship with his children and he expressed several times to Curtis that he wanted Curtis to make sure his estate was divided equally. In fact, he had a Will prepared while he resided with Curtis putting that desire in writing. Objectors are aware that this prior will still exists because at the hospital on the day the Decedent died, Petitioner had it with her. Despite the fact that the Decedent mentioned that he wanted to make sure everyone received equal parts of his estate, in paragraph 4 of the Will, under specific gifts of cash, the Decedent lists only \$20 to be given to Michael Lee, Todd Lee, Willie Lee, Jr., Billy Lee, and Edward Lee (that is all the space that was provided in the Will for specific gifts of cash). Objectors find it strange that the Decedent did not name Curtis Lee and Donald Eugene Lee to receive \$20 also because he had a good relationship with them.

Objectors state it should also be brought to the Court's attention that the Decedent could not read or write, and it seems that the names appearing on the Will form were not written by the Decedent, including his signature.

Objectors take exception to the statement on the Declaration of Due Diligence that "My brothers were estranged from our father even though he had the same telephone number and lived in the same house from when he bought it until he died," because the Objectors saw him and spoke with him regularly.

Objectors state the Decedent also owned voluminous Hot Wheels and NASCAR model car collections that spanned the length and width of the walls of his dining room and had more unopened boxes in the spare room, in good condition. He enjoyed collecting and according to Michael Lee, who works in retail sales and has knowledge of values, the collections were worth approx. \$30-40,000. Neither collections were mentioned in the Petition to Determine Succession. Objectors know the Hot Wheels collection was still in the decedent's possession when he died because when the family was at the hospital talking about arrangements, Petitioner said they could sell some of the Hot Wheels for expenses if necessary.

Objectors are also aware of a safe deposit box maintained by the Decedent. The inventory does not disclose its contents.

Objectors pray as follows:

1. **That the petition of Jackie Eileen Lee to determine succession be denied;**
2. **That Jackie Eileen Lee be denied appointment as a personal representative;**
3. **For an order deeming the purported Will of Decedent dated 12/8/09 invalid and ordering that the Decedent's property pass pursuant to the laws of intestate succession;**
4. **For an order requiring Jackie Eileen Lee to account for all of Decedent's belongings;**
5. **For costs of suit; and**
6. **For any other relief that the court considers proper.**

Page 3 – NEEDS/PROBLEMS/COMMENTS:

1. The instant petition is a summary proceeding, which, in determining succession to real and personal property pursuant to a will, necessarily includes a determination as to the validity of the will, even if the will is not technically probated. However, there is no provision for contesting a will in this type of summary proceeding. Because there is now an Objection filed that questions the validity of the will, it does not appear this matter can go forward as a summary proceeding. If Petitioner or Objections wish to pursue the matter, a probate estate may need to be opened and a personal representative may need to be appointed pursuant to Probate Code §8000. See §8250 re contest of will.

If this matter goes forward, the following issues remain noted:

2. **Examiner Notes previously stated:** This petition was filed with a fee waiver. If assets are distributed pursuant to this petition (Estate value \$95,160.00), the filing fee of \$435.00 will be due prior to distribution. **Declaration filed 11/2/15 requests to be allowed to make payments.**
3. **Examiner Notes previously stated:** The I&A includes cash, real property, and two vehicles. Attachment #11 requests only that the real property pass to Petitioner pursuant to the will. However, this leaves the cash bequests and vehicles outstanding. In this type of summary proceeding, all successors in interest must petition together for determination of the assets they are entitled to, and determination is made in one order. Assets cannot be left outstanding.

Therefore, an amended petition together with Michael Lee, Todd Lee, Willie Lee, Jr., Billy Lee, and Edward Lee may be necessary.

Alternatively, the Court may accept written receipts from the above people for their \$20 bequests.

Declaration filed 11/2/15 states the above Examiner's Note misstates the law and is incorrect. Probate Code §13151 states only the successor to a particular item of property that is real property needs to petition the court. This petition may include personal property, but that is not required. Petitioner is only the successor to the real property which is specifically devised to her. She purposefully did not include any request for succession to any item of personal property. Those entitled to personal property can use an affidavit under §13100 to collect the personal property. It is not required to be included in this petition.

Examiner's Note: Examiner is not aware of any authority for leaving known, inventoried assets outstanding and granting only succession to the real property, as Petitioner suggests. Here, the bank account and two vehicles* (*see #3 below) have been inventoried and as such are before the Court.

4. **Upon further review:** Item No. 3 of the I&A Attachment No. 2 is not actually a vehicle, but rather appears to be a loss claim on a vehicle with the loss dated 1/29/15 (after the decedent's death). The Court may require further clarification regarding this inventory item. Note that the Inventory and Appraisal should provide date of death values for all assets.
5. **Petitioner's Declaration filed 11/2/15 states** she does not, and is not required to, request determination of succession to any of the personal property assets. However, Examiner notes that pursuant to the will, Petitioner is the successor to both the real and personal property. Therefore, need authority for specifically omitting known, inventoried assets that would pass to this petitioner under the will from this petition and order.

Page 4 – NEEDS/PROBLEMS/COMMENTS (Cont'd):

6. **Petitioner states** the addresses of the following relatives, one of whom is an heir, are unknown: Billy Lee, Jr., and Bertha Louise Lee. As noted above, the Court may require all heirs to participate in the petition, or may require a receipt from Billy Lee, and may require notice to Billy Lee and Bertha Louise Lee. ***Declaration filed 11/2/15 refers to Declaration of Due Diligence filed 10/15/15.***
7. **“Eddie Lee” is the second named Alternative Executor. Is this the same person as “Edward Lee,” who is a beneficiary of a cash bequest under the will?**

Petitioner: Christina Jones (pro per)

Petition for Appointment of Guardian of the Person

		<u>TEMPORARY EXPIRES 2/22/16</u>	NEEDS/PROBLEMS/COMMENTS:
		CHRISTINA JONES , maternal aunt, is petitioner.	This petition is as to RAYMOND RICHARDSON and JAHARRI RICHARDSON only.
		Please see petition for details.	
Cont. from 011116		Court Investigator Report filed on 12/21/15	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
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<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 2/17/15
			Updates:
			Recommendation:
			File 16- Wortham & Richardson

17 Brooke Romero, Micah Romero (GUARD/P) Case No. 15CEPR01031

Petitioner Thomas, Karen Mae (Pro Per – Maternal Grandmother)

Petitioner Thomas, Gerald L (Pro Per – Maternal Step-Grandfather)

Petition for Appointment of Guardian of Person and Estate

Brooke Age: 17		<u>TEMPORARY (PERSON ONLY) EXPIRES</u> <u>02/22/2016</u>	NEEDS/PROBLEMS/COMMENTS:
Micah Age: 16			
		KAREN THOMAS , maternal grandmother, and GERALD THOMAS , maternal step-grandfather, are petitioners.	Minute Order of 01/04/2016: Examiner notes provided in open Court. The Court indicates that it will not be granting the petition as to the Estate; Petitioner indicates that guardianship of the estate is not desired. Matter is continued for proof of service or consent as to the mother, paternal grandparents, and the maternal grandfather.
Cont. from 010416			
	Aff.Sub.Wit.	<u>Please see petition for details</u>	<p>1. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:</p> <ul style="list-style-type: none"> Bernardo Romero (paternal grandfather) Carmen Romero (paternal grandmother)
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
	Aff.Mail	x	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	w/	
✓	Conf. Screen		
✓	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: LV
			Reviewed on: 02/17/2016
			Updates:
			Recommendation:
			File 17- Romero

Petition for Appointment of Guardian of the Person

Age: 6		<p align="center"><u>NO TEMPORARY REQUESTED</u></p> <p>ANDREA FRANKLIN, maternal grandmother, is Petitioner.</p> <p>Father: IKE NORMAN</p> <p>Mother: AUNJELI KINGSBURY</p> <p>Paternal grandfather: UNKNOWN Paternal grandmother: KIM NORMAN</p> <p>Maternal grandfather: ERIC KINGSBURY</p> <p>Court Investigator Julie Negrete filed a report on 12/22/15.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>CONTINUED FROM 01/04/16</u> As of 02/17/16, nothing further has been filed and the following notes remain:</p> <ol style="list-style-type: none"> 1. Need <i>Notice of Hearing</i>. 2. Need proof of service at least 15 days before the hearing of <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Guardian of the Person</i> <u>or</u> <i>Consent & Waiver of Notice</i> <u>or</u> <i>Declaration of Due Diligence</i> for: <ol style="list-style-type: none"> a. Ike Norman (father) – <i>personal service needed</i> b. Aunjeli Kingsbury (mother) – <i>personal service needed</i> c. Paternal grandfather – <i>service by mail ok</i> d. Kim Norman – <i>service by mail ok</i> e. Eric Kingsbury (maternal grandfather) – <i>service by mail ok</i> 	
Cont. from 010416				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			x
<input type="checkbox"/>	Aff.Mail			x
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			x
<input checked="" type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
<input checked="" type="checkbox"/>	Duties/Supp			
<input type="checkbox"/>	Objections			
<input type="checkbox"/>	Video Receipt			
<input checked="" type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input checked="" type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
<p>Reviewed by: JF</p> <p>Reviewed on: 02/17/16</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 18- Norman</p>				

Probate Status Hearing

RE: Filing of the Bond

Age:			NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR</u> Bond filed 2/11/16, Letters issued.	
DOD:				
Cont. from				
	Aff.Sub.Wit.			
	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
				Reviewed by: skc
				Reviewed on: 2/17/16
		Updates:		
		Recommendation:		
		File 19- Kelly		

Petitioner: Ray Ramos, JR. (pro per)

Objector: Manuel Valdez Sandoval (pro per)

Objector: Monty Villegas (pro per)

Petition for Appointment of Guardian of the Person

		<u>TEMPORARY EXPIRES 2/22/16</u>	NEEDS/PROBLEMS/COMMENTS:
		RAY ANTHONY RAMOS , step-father, is petitioner.	1. Need proof of service of the Notice of Hearing along with a copy of the petition or consent and waiver of notice on: a. Jasmine's paternal grandparents (unknown) – unless the court dispenses with notice. b. Vincent's paternal grandparents (unknown) – unless the court dispenses with notice. 2. Objections of Manuel Valdez Sandoval do not include a proof of service. 3. Objections of Monty Villegas do not include a proof of service.
		Please see petition for details.	
		Objections to Guardianship filed by Manuel Valdez Sandoval [Jasmine's father] filed on 12/31/15	
		Objections to Guardianship filed by Monty Villegas [Vincent's father] filed on 1/5/16	
		Court Investigator Report filed on 2/11/16	
Cont. from			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W/	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	W/	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: KT
			Reviewed on: 2/17/16
			Updates:
			Recommendation:
			File 20- Sandoval & Rodriguez

21AAttorney
Attorney**Sandra L Detwiler (CONS/PE)**

Wilson, Roger D. (for Petitioner Joyce Weber)

Lind, Ruth (Court Appointed for Proposed Conservatee Sandra L. Detwiler)

Case No. 16CEPR00016**Petition for Appointment of Probate Conservator of the Person and Estate**

See petition for details.			NEEDS/PROBLEMS/COMMENTS: Court Investigator advised rights on 2/4/16. Voting rights affected – need minute order. <u>SEE ADDITIONAL PAGES</u>
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	W	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt	X	
✓	CI Report		
	9202		
✓	Order	W	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
✓	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 2/17/16
			Updates:
			Recommendation:
			File 21A- Detwiler

21A

Page 2 – NEEDS/PROBLEMS/COMMENTS:

1. Pursuant to Probate Code §1890(c), the Capacity Declaration must be executed by a licensed physician or psychologist within the scope of his or her licensure. The Capacity Declaration filed 1/5/16 appears to have been completed by a nurse practitioner who, pursuant to the attached declaration, has not seen the patient. Need Capacity Declaration completed and executed by the proposed conservatee's physician.
2. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing on the Office of the Veterans Administration pursuant to Probate Code §§ 1822(d), 1461.5.
3. Need video receipt pursuant to Local Rule 7.15.8.A.
4. Petitioner does not provide copies of any of the documents referred to in the petition (trust, power of attorney, health directive). The Court may wish to review these documents in consideration of appointment of Petitioner pursuant to Probate Code §1812.
5. Need bond in the amount of \$106,979.40, which covers the proposed conservatee's income and cost of recovery pursuant to Probate Code §2320(c)(4) and Cal. Rule of Court 7.207.
6. Need revised proposed order on current Form GC-340, which was recently updated by the Judicial Council on 1/15/16.

Note: If granted, the Court will set status hearings as follows:

- Monday, April 4, 2016 for filing of bond
- Monday, June 20, 2016 for filing the Inventory and Appraisal
- Monday April 24, 2017 for filing the first account

If the proper items are on file per Local Rule 7.5, the status hearing may come off calendar.

Probate Status Hearing RE: Proof of Bond

		TEMP GRANTED 1/19/16 EXPIRES 2/22/16 (TEMP LETTERS HAVE NOT ISSUED)	NEEDS/PROBLEMS/COMMENTS: 1. Need bond of \$106,980.00. (Temp Letters have not yet issued.)
		JOYCE WEBER was appointed Temporary Conservator of the Person and Estate on 1/19/16 with bond of \$106,980.00.	
		Minute order 1/19/16 states: The Court admonishes that Letters will not issue until bond is posted. Set on 2/22/16 for proof of bond.	
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			

Reviewed by: skc
Reviewed on: 2/18/16
Updates:
Recommendation:
File 21B- Detwiler

Petition for Appointment of Guardian of the Estate

		NO TEMPORARY REQUESTED	NEEDS/PROBLEMS/COMMENTS:	
		SCOTT A. MURPHY and DAWN R. MURPHY , parents, are Petitioners and request appointment as Co-Guardians of the Estate.	<ol style="list-style-type: none"> 1. Need <i>Guardianship Petition – Child Information Attachment</i> (mandatory-use form GC-210) including all relatives of the proposed ward within the second degree, pursuant to Probate Code § 1510(b) and (c). 2. Need <i>Duties of Guardian</i> form signed by both Petitioners. 3. Need <i>Uniform Child Custody Jurisdiction Enforcement Act (UCCJEA)</i> mandatory-use form GC-120. 4. Need proposed <i>Order to Deposit Money into Blocked Account</i> (Judicial Council form MC-355), specifying the <u>exact amount</u> of funds to be deposited into the blocked account. 	
Cont. from		~Please see Petition for details~	<p>Note: If <i>Petition</i> is granted, the Court will set the following status hearings:</p> <ul style="list-style-type: none"> • Wednesday, March 23, 2016 at 9:00 a.m. in Dept. 303 for filing of <i>Receipt and Acknowledgment of Order for the Deposit of Money Into Blocked Account</i> (Judicial Council form MC-356.) • Thursday, June 23, 2016 at 9:00 a.m. in Dept. 303 for the filing of the inventory and appraisal; and • Thursday, April 27, 2017 at 9:00 a.m. in Dept. 303 for the filing of the first account. <p>Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.</p>	
Aff.Sub.Wit.				
✓	Verified			
Inventory				
PTC				
Not.Cred.				
✓	Notice of Hrg			
✓	Aff.Mail			W/
Aff.Pub.				
Sp.Ntc.				
Pers.Serv.				
✓	Conf. Screen			
✓	Letters			
Duties/Supp				X
Objections				
Video Receipt				
CI Report				
9202				
✓	Order			
Aff. Posting				
Status Rpt				
UCCJEA				
Citation				
FTB Notice				
		Reviewed by: LEG Reviewed on: 2/18/16 Updates: Recommendation: File 22- Murphy		

Petition for Appointment of Temporary Guardian of the Person

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: <u>Minute Order 1/25/16:</u> The Court admonishes that the father must be properly served. <u>Update:</u> Gilbert Murrieta, Father, was personally served on 2/6/16.	
Cont. from 012516				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
	Notice of Hrg			X
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			X
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 2/17/16	
			Updates:	
			Recommendation:	
			File 23- Guzman	